

## **PROCEDURES FOR DPLU/DPW PROJECT ISSUE RESOLUTION CONFERENCES**

**Last Updated: May 20, 2003**

**PURPOSE:** To provide land use permit/entitlement applicants an opportunity to quickly and inexpensively have issues heard and considered by senior County management. Issues considered under this procedure can include disagreements with staff interpretations of codes or ordinances, requests for additional information or studies, complaints regarding customer service being provided by the County, or disagreements regarding project related processing requirements. With the exception of customer service complaints, it is required that the project applicant tries to resolve these issues with projects staff before an Issue Resolution Conference is considered.

This process will not reconsider final decisions (including appeals of those decisions) or formal recommendations made by the Director or any other formal County of San Diego decision-making body. The process will not consider active code enforcement issues, as there are already appeal processes available. Furthermore, this process does not replace any other appeal mechanisms such as those for CEQA determinations or administrative appeals but may be used to augment these processes. This process is not available for project opponents as the existing process allows for public input as part of the decision/hearing process. Lastly, decisions resulting from this process are not binding on any County decision-making body including the Directors of DPLU/DPW.

### **STAFFING:**

- The **Project Issue Resolution Panel** shall be comprised of two DPLU/DPW Senior Managers. These managers shall be the DPLU Development Services Deputy Director and the DPW Assistant Director or their designees.
- A **Project Issue Resolution Secretary** shall be appointed by both DPLU and DPW. Responsibility for providing secretarial support shall alternate between DPW and DPLU as determined by the panel. The Project Issue Resolution Secretary will prepare and coordinate the agenda, and prepare and distribute minutes.
- The **DPLU/DPW Project Staff** involved in the issue shall also attend the Project Issue Resolution conference. In consultation with the DPW/DPLU Project Manager, Panel members will determine staff attendance needs on a case-by-case basis.
- **County Counsel** may also be asked to attend to consult with the Panel when a private attorney is representing the applicant/individual or when the issue involves to specific legal issues, as necessary.

**LOCATION:** The Panel will meet at the DPLU Chiefs Conference Room located at the DPLU/DPW Offices, 5201 Ruffin Road, Suite B, San Diego, CA 92123.

**COSTS:** Charges will be made in accordance with the DPLU and DPW fee ordinances. In general, for permit/entitlement applications with a deposit account, project level staff will charge the applicant's trust account but panel members and the secretaries will not. Project staff time charged will be minimized. Given that there must be an effort to



resolve the issue with staff before raising the issue to the panel, staff should be familiar with the issues and charges should generally be limited to attendance at the conference. For permit/entitlement applications processed with a flat fee, no additional payment from the applicant is required.

**PROCEDURES:**

1. **Notification of Project Issue Resolution Process.** Project applicants and customers shall be made aware of the Project Issue Resolution procedure as follows:
  - a. All formal letters will inform the applicant that this process is available and who to contact (including the departmental web sites) for further information. Applicants will be advised that the Project Issue Resolution form will only be accepted if the issue has been discussed with the appropriate Project Manager and their Project Issue has not been satisfactorily resolved.
  - b. The process and form will be included on both departments' web sites.
2. **Conference Scheduling -** Upon receipt by the County of a fully completed Project Issue Resolution form, the Project Issue Resolution Secretary will:
  - a. Verify with the Project Manager that, with the exception of customer service complaints, the issues raised have been previously discussed with staff, the applicant has made a genuine effort to resolve the issue with staff, and the issues raised are appropriate for the Project Issue Resolution process.
  - b. Verify with the Project Manager that the issues to be discussed are adequately detailed, and that a fact-based discussion of the issue is clearly and concisely presented on the form.
  - c. Obtain a recommendation from the Project Manager for the appropriate staff (including County Counsel, as required) to attend the conference. Charges to the applicant's account must be kept to a minimum but all project staff involved in the issues must be included.
  - d. Add the item on the agenda for the next regularly scheduled Project Issue Resolution Conference. Every effort must be made to consider project issues within 10 calendar days of the receipt of the Project Issue Resolution form. However, an unusual volume of project issues or scheduling limitations may result in not meeting this timeline.
  - e. Notify the affected staff/applicant/customer of the date and time of the conference.
  - f. After discussion with the Project Issue Resolution Officers, the Project Issue Resolution Secretary will finalize the agenda no later than Tuesday morning for the following Thursday conference. The agenda, along with the Project Issue Resolution form, shall be distributed to the Project Issue Resolution panel members and the staff attendees.



3. **Project Issue Resolution Conferences**

- a. Conferences shall be scheduled every Thursday from 1:00 p.m. to no later than 4:00 p.m. in the DPLU Chiefs Conference Room.
- b. Except in unusual cases, each project will be limited to no more than 30 minutes.
- c. Only those issues specifically listed on the Project Issue Resolution form will be considered.
- d. The Project Manager or their designee will record the panel's determinations on the specific issues listed on the agenda. These notes will be forwarded to the Project Issue Resolution Secretary by COB the day of the conference.
- e. The Panel may take several actions regarding the Project Issues raised in this process including but not limited to: 1) concurring with the applicant, 2) concurring with the staff position, 3) developing an alternative solution for the Project Issue, 4) requesting additional information or analysis from either staff or the applicant, 5) elevating the issue to the Director of the relevant department. Rationale for the determination will be given to both applicants and staff and included in the minutes for the conference.

4. **Conference Final Documentation**

- a. By noon on the Friday immediately following the conference, the Secretary will compile the written notes supplied by the Project Manager and distribute to the Project Issue Resolution Panel for approval.
- b. Once approved by the Panel the notes will be sent to the project point of contact, placed in the individual DPLU/DPW project file(s) as well as a comprehensive Project Issue Resolution file.
- c. Statistics will be maintained regarding the results of the Project Issue Resolution that track the results of issues considered in these conferences.